

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2624 – SB 2631

April 12, 2018

SUMMARY OF ORIGINAL BILL: Requires the Human Rights Commission to notify the appropriate District Attorney General if during the course of an investigation there is reasonable cause to believe a violation of Tenn. Code Ann. § 39-17-309 involving civil rights intimidation has occurred.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016877): Deletes all language after the caption. Creates the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center within the Office of Minority Affairs (OMA) to serve as a civil rights crimes remembrance and reconciliation repository. Requires the staff of the OMA to staff the Center.

Requires the Center to: (1) design and distribute a statewide survey of both solved and unsolved civil rights crimes in Tennessee utilizing volunteer resources; (2) transfer any information collected that may still be subject to possible criminal prosecution to the appropriate state and local law enforcement agencies, district attorneys general and federal United States attorneys general with jurisdiction for the location involved; (3) coordinate activities surrounding unsolved civil rights crimes and cold cases believed to have occurred in this state; (4) collect and maintain pertinent information on pending conferences, workshops, public hearings, remembrance and reconciliation events, and other meetings concerning unsolved civil rights crimes and cold cases occurring in this state; (5) coordinate with the state archivist to determine if any material, information or other document received by the Center is of historical significance; (6) assist the public, federal, state and local government entities with inquiries regarding information on unsolved civil rights crimes and cold cases in this state; (7) initiate and participate in any reconciliation actions, meetings, ceremonies, services and other similar activities on behalf of the State of Tennessee; and (8) research and apply for any available funding or grants from the federal government or the private sector awarded for any of the purposes of the Center.

Requires the Center to submit a report by January 30, 2019, and each January 30 thereafter, to the Speaker of the Senate, Speaker of the House of Representatives, the Senate Judiciary Committee, and the House Criminal Justice Committee detailing the activities of the Center since the effective date of this act.

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Requires the Center to obtain and operate a website and toll-free telephone line to receive information related to unsolved civil right crimes and cold cases in this state. Requires the Center to undertake activities to inform and remind the citizens of this state of these services and of the availability of the toll-free telephone line. Promotional activities include, but are not limited to press releases, posters, speeches, and public service announcements on radio and television.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact - The Office of Minority Affairs (OMA) has a recurring budget of \$325,600, of which approximately \$228,000 is not currently expended and reverts back to the General Assembly's reserve account at the end of each fiscal year. The OMA will utilize such unexpended recurring funding for any additional expenditures created by the proposed legislation. To this extent, a lesser unknown amount of recurring funding would revert back to the General Assembly reserve account at the end of each fiscal year.

Assumptions for the bill as amended:

- Based on information provided by the Office of Legislative Administration (OLA), the OMA currently has the budget for three employees but only one is filled.
- Based on information provided by the OLA, it is assumed that the OMA has an annual budget of \$325,574 (\$297,274 for employee salary and benefits and \$28,300 for operational costs). The total expenditures for the OMA were \$97,620 (\$97,365 salary/benefits + \$255 operational expenses) in FY16-17. These numbers are assumed to remain constant into perpetuity under current law.
- Therefore, \$227,954 (\$325,574 - \$97,620) of the OMA's budgeted annual amount is currently not expended. According to the OLA, this unexpended recurring funding reverts back to the General Assembly's reserve at the end of each fiscal year.
- It is assumed that the currently budgeted amount of \$325,574 for the OMA will continue to be budgeted for the OMA.
- Further it is assumed the additional two positions will need to be filled to implement the provisions of the legislation.
- However, it is assumed that the OMA would be able to utilize the portion of the budgeted amount that is not spent for the current operations of the OMA (\$227,954) to accomplish such requirements. To this extent, a lesser amount of recurring funding could revert back to the General Assembly's reserve at the end of each fiscal year.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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